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9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, }
14 Plaintiff, }
15 v. }
16 APPROXIMATELY \$72,000 IN UNITED }
17 STATES CURRENCY, }
18 Defendant. }

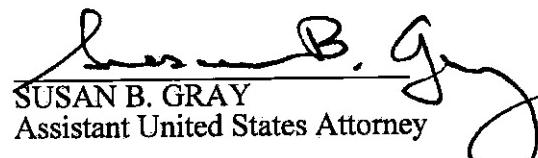
19 No. CV 08-1305 JCS

20 DECLARATION OF PUBLICATION

21 Notice of Civil Forfeiture was posted on an official government internet site
22 (www.forfeiture.gov) for at least 30 consecutive days, beginning on March 14, 2008, as required
23 by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
Forfeiture Actions, as evidenced by Attachment 1.

24 Notice was also published in a newspaper of general circulation on May 30, June 6 and
25 13, 2008, pursuant to Rule G(4)(a) of the Supplemental Rules for Admiralty or Maritime Claims
and Asset Forfeiture Action. Said published notice advised all third parties of their right to file a
claim with the court no later than thirty (30) days after final publication, and an answer within
twenty (20) days after filing the claim, as evidenced by Attachment 2.

1 I declare under penalty of perjury that the foregoing is true and correct.
2 Executed this 13th day of August, 2008.

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5 SUSAN B. GRAY
6 Assistant United States Attorney
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Attachment 1

Attachment 1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
COURT CASE NUMBER: CV 08-1305 JCS; NOTICE OF FORFEITURE ACTION

Pursuant to 21 USC 881, the United States filed a verified Complaint for Forfeiture against the following property:

\$72,000.00 U.S. Currency (08-USP-000171), which was seized from Earl Kennedy on October 13, 2007 at USPS Mail Stream, Diamond Station, located in Oakland, CA

Any person claiming a legal interest in the Defendant Property must file a verified Claim with the court within 60 days from the first day of publication (March 14, 2008) of this Notice on this official government internet web site and an Answer within 20 days thereafter. Title 18, United States Code, Section 983(h)(1) permits a court to impose a civil fine on anyone asserting an interest in property which the court determines was frivolous.

The verified Claim and Answer must be filed with the Clerk of the Court, 450 Golden Gate Avenue, 16th Floor, San Francisco, CA 94102, and copies of each served upon Assistant United States Attorney Susan B. Gray, 450 Golden Gate Avenue, 10th Floor, San Francisco, CA 94102, or default and forfeiture will be ordered. See, 18 U.S.C. § 983(a)(4)(A) and Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Attachment 2

THE INTER-CITY EXPRESS
~ SINCE 1909 ~

1108 OAK STREET STE 103, OAKLAND, CA 94607-4566
Telephone (510) 272-4747 / Fax (510) 465-1657

This space for filing stamp only

ANDREA HOWARD
U.S. MARSHALS SERVICES/ASSETS &
450 GOLDEN GATE AVE BOX 36056
SAN FRANCISCO, CA - 94102

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of ALAMEDA) ss

Notice Type: USM - US MARSHAL'S PUBLICATION

Ad Description: CV 08-1305 JCS, USA V. APPROX. \$72,000 IN US CURRENCY

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer and publisher of the INTER-CITY EXPRESS, a newspaper published in the English language in the City of Oakland, County of Alameda, State of California.

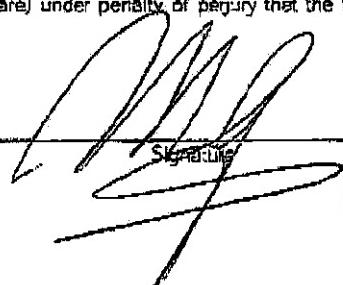
I declare that the INTER-CITY EXPRESS is a newspaper of general circulation as defined by the laws of the State of California as determined by this Court's order, dated October 21, 1910, in the action entitled In the Matter of the Application of the INTER-CITY EXPRESS Publishing Company Establishing "THE INTER-CITY EXPRESS" To be a Newspaper of General Circulation, Case Number 33837, and as Amended November, 19, 1974. Said order, as amended, Orders that: "The INTER-CITY EXPRESS" is a newspaper of general circulation, as defined in Section 6000 et seq. of the Government Code, for the City of Oakland, the County of Alameda, and The State of California." Said order as amended has not been revoked.

I declare that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates, to-wit:

05/30/2008, 06/06/2008, 06/13/2008

Executed on: 06/13/2008
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature



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OK-1354744

RECEIVED
UNITED STATES MARSHAL
NORTHERN DISTRICT
OF CALIFORNIA

08 JUN 17 PM 1:21

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
UNITED STATES OF AMERICA, Plaintiff,
v.
APPROXIMATELY \$72,000 IN UNITED
STATES CURRENCY, Defendant.

No. CV 08-1305 JCS
NOTICE OF FORFEITURE ACTION

A civil complaint seeking forfeiture pursuant to 21 U.S.C. § 887(c)(6) was filed on March 6, 2008, in the United States District Court for the Northern District of California by the United States of America, plaintiff, against the above defendant currency.

In order to contest forfeiture of the *in rem* defendant currency, any person who asserts an interest in or right against the property, must file a verified complaint identifying the interest or right within 30 days after the date of service of the complaint in accordance with Rule 6(e) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims or within 30 days after the date of final publication of the Notice of Forfeiture Action, whichever is earlier.¹ Additionally, a claimant must serve and file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 20 days after filing the claim.

An agent, broker or attorney must state the authority to file a statement of interest or right against the property on behalf of another.

Statements of interest and answers should be filed with the Office of the Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, 15th Floor, San Francisco, California 94102, and copies should be served on Susan Gray, Assistant United States Attorney, 450 Golden Gate Avenue, 9th Floor, San Francisco, California 94102.

Dated: March 6, 2008
Respectfully submitted,

JOSEPH P. FUSSONIELLO

United States Attorney

SUSAN B. GRAY

Assistant United States Attorney

JOSEPH P. FUSSONIELLO

(CSBN 44382)

United States Attorney

BRIAN J. STRETCH

(CSBN 153973)

Ctral. Criminal Division

SUSAN B. GRAY

(CSBN 100374)

Asst. Atty. United States Attorney

450 Golden Gate Avenue, 2nd Floor

San Francisco, CA 94102

Telephone: 415.436.7324

Fax: 415.436.6748

Email: susan.b.gray@usdoj.gov

Attorneys for United States of America

¹Please check www.forfeiture.gov for the listing of all judicial forfeiture notices as newspaper publication of judicial forfeiture notices will be discontinued in the near future.

5/30, 08, 6/13/2008